

**COSMETICS ACTIONABLE BECAUSE OF ADULTERATION WITH  
UNCERTIFIED COAL-TAR COLORS**

**187. Adulteration and misbranding of brilliantine color-odors. U. S. v. Orbis Products Corp. and William H. Barlow. Pleas of guilty. Defendants jointly fined \$450. (F. D. C. No. 24249. Sample Nos. 45101-H, 77384-H, 77385-H.)**

**INFORMATION FILED:** August 19, 1949, Southern District of New York, against the Orbis Products Corp., New York, N. Y., and William H. Barlow.

**ALLEGED VIOLATION:** The defendants without proper authority used labels and identification devices authorized by the regulations for color certification. These labels and identification devices were attached to bottles containing certain coal-tar colors.

On or about September 12, 1946, and March 19, 1947, the defendants caused the coal-tar colors so labeled and identified to be introduced into interstate commerce at New York, N. Y., for delivery to Los Angeles, Calif., and Boone, Iowa.

**LABEL, IN PART:** "Brilliantine Color—Odor Series No. 300 Color Red Odor Rose Contains 1½% Pure Coal Tar Dye Part of Certified Lot No. B-5800," "Brilliantine Color—Odor Series No. 300 Color Amber Odor Rose Contains 1.2% Pure Coal Tar Dye Part of Certified Lot No. B-2364," and "Brilliantine Color—Odor Color Amber Odor Apple Blossom Contains 1.2% Pure Coal Tar Dye Part of Certified Lot No. B-2364."

**RESULTS OF INVESTIGATION:** The identification devices "Lot No. B-2364" and "Lot No. B-5800" had been assigned for use on certain batches of certified coal-tar colors, but the colors shipped in interstate commerce and labeled by the defendants with such devices were not from the certified batches.

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the products were not hair dyes and contained coal-tar colors other than ones from batches that had been certified in accordance with the regulations.

Misbranding, Section 602 (a), the labels of the articles falsely represented that they contained coal-tar colors from batches that had been certified in accordance with the regulations.

**DISPOSITION:** December 13, 1949. Pleas of guilty having been entered, the defendants jointly were fined \$450.

**188. Adulteration and misbranding of character make-up kits. U. S. v. 343 Boxes \* \* \*. (F. D. C. No. 30328. Sample No. 74910-K.)**

**LABEL FILED:** December 8, 1950, District of New Jersey.

**ALLEGED SHIPMENT:** On or about October 17, 20, 23, and 24, 1950, by Smith & Motz, from Philadelphia, Pa.

**PRODUCT:** 343 boxes each containing 12 character make-up kits at Irvington, N. J.

**LABEL, IN PART:** "Professional Character Make-Up."

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the product was not a hair dye and bore or contained a coal-tar color other than one from a batch that had been certified in accordance with the regulations.

Misbranding, Sections 602 (b) (1) and (2), the product was a cosmetic in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents.

**DISPOSITION:** January 22, 1951. Default decree of condemnation and destruction.